

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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CARLOS TORRES, et al., on behalf of  
themselves and all others similarly situated,

Plaintiffs,

vs.

GRISTEDE'S OPERATING CORP., et al.,

Defendants.

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Case No. 04-CV-3316 (PAC)

OSCAR AMARO, et al., on behalf of  
themselves and all others similarly situated,

Plaintiffs,

vs.

GRISTEDE'S OPERATING CORP., et al.,

Defendants.

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Case No. 08-CV-8531 (PAC)

DAVID BARRETO, et al., on behalf of  
themselves and all others similarly situated,

Plaintiffs,

vs.

GRISTEDE'S OPERATING CORP., et al.,

Defendants.

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Case No. 08-CV-9627 (PAC)

Laura B. Hoguet declares under penalty of perjury pursuant to 28 U.S.C. § 1746  
that the following is true and correct:

1. I am a practicing attorney in New York, New York. This declaration is  
submitted in support of Plaintiffs' application for attorneys' fees and costs.

2. I am founding partner of the firm Hoguet Newman Regal & Kenney, LLP. Since the inception of the firm in 1996, I have tried and won five jury cases (four federal, one state), and have argued successfully in the Second Circuit Court of Appeals, the New York Court of Appeals and the Appellate Division. I conduct a diverse litigation practice, including representing both employers and employees in employment matters. I am a member of the Association of the Bar of the City of New York and of the Federal Bar Council.

3. I received my A.B. degree from Harvard University and graduated in 1967 from The University of Chicago Law School. I am admitted to practice before the courts of the State of New York and the District of Columbia, federal courts in the Southern and Eastern Districts of New York and the District of Columbia, and the U.S. Supreme Court. Prior to starting Hoguet Newman Regal & Kenney, LLP in 1996, I was for 28 years an associate and, beginning in 1974, a partner of the international law firm of White & Case.

4. Because of the importance of fee-shifting to the employment law practice, I make an effort to remain current with developments in attorneys' fees awards in New York's state and federal courts.

5. I have known the lawyers at Outten & Golden LLP ("O&G") for many years. I believe that O&G is one of the top few employment law firms in New York City and in the country. O&G has a strong national reputation for its particular expertise prosecuting wage and hour class actions.

6. I believe that a reasonable client would choose O&G's lawyers, especially Adam Klein and Justin Swartz, to represent him/her as a class representative in a wage and hour class action because of their skills and record of success. Although class

representatives in class actions rarely pay by the hour, it would be a good decision for a hypothetical hourly-paying class representative to choose O&G over other firms with lower rates because, I believe, hiring O&G makes a positive difference in the likelihood and degree of success.

7. Based on my knowledge of the New York employment law market and the abilities of O&G's lawyers, I believe that Mr. Klein's requested hourly rate of \$740 and Mr. Swartz's requested hourly rate of \$600.00 per hour are reasonable and appropriate. I have reviewed the requested hourly rates that Plaintiffs are seeking for other O&G lawyers who worked on this case and believe that they are reasonable and appropriate as well.

8. My current hourly rate is \$675. My firm's clients typically pay this rate.

9. My firm's clients typically pay \$350 per hour for mid-level lawyers (third through fifth year) and \$475 per hour for more experienced associates.

10. I know the hourly rates for experienced lawyers representing plaintiffs in employment law litigation in this community generally range from \$425 to \$900 per hour. Certainly the rate for experienced partners of Outten & Golden LLP, which is a premier firm in this field, should be at the high end of this range.

11. Given the high standards for which Outten & Golden LLP is known, the requested hourly rates ranging between \$290 and \$400 for its associates are wholly reasonable.

12. I am not associated with either party in this action and have no financial interest in the outcome of this case. I am not being paid for submission of this declaration.

/s/  
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Laura B. Hoguet

Dated: New York, New York  
June 27, 2011